

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-20274

HON. BERNARD A. FRIEDMAN

D-1 JUMANA NAGARWALA,

D-2 FAKHRUDDIN ATTAR,

D-3 FARIDA ATTAR,

Defendant(s).

TRIAL NOTICE

WITH FINAL PRETRIAL CONFERENCE

The following dates are set Final Plea Cutoff and Pretrial Conference scheduled for **TUESDAY, JUNE 6, 2017 @ 11:00 A.M.** On this date and time counsel for the government and the defense must be present and advise the Court how they will proceed. THE COURT WILL NOT ACCEPT ANY PLEA BARGAINS RELATING TO LESSER CHARGES OR SENTENCE AGREEMENTS AFTER THIS DATE.

The jury trial of this cause shall commence on **TUESDAY, JUNE 27, 2017 @ 9:00 A.M.**

S/Bernard A. Friedman

HON. BERNARD A. FRIEDMAN

DATED: May 1, 2017

UNITED STATES DISTRICT JUDGE

**STANDING ORDER FOR DISCOVERY AND INSPECTION
AND FIXING MOTION CUT-OFF IN CRIMINAL CASES**

In order to (1) eliminate unnecessary motions for discovery and (2) expedite the trial and eliminate delays in the presentation of evidence and the examination of witnesses, this order is entered in all criminal cases which are to be conducted by this court. Nothing within this order shall be construed to impose an obligation on any party which is not authorized by law,

1. CONFERENCE AND DISCLOSURE: Within ten (10) days from the date of arraignment, or such other date as may be set by the court, government and defense counsel shall meet and confer for the purpose of resolving or minimizing the issues in controversy. Upon the request of defense counsel, the government counsel shall:

(a) provide defense counsel with the information which has been described in Federal Rule of Criminal Procedure 16(a)(1),

(b) permit defense counsel to inspect, copy or photograph any exculpatory evidence within the meaning of Brady v. Maryland, 373 U.S. 83(1983) and United States v. Agurs, 427 U. S. 97 (1976). A list of the items of evidence shall be signed by all counsel. Copies of those items, which have been disclosed, shall be initialed or otherwise marked. Nothing herein shall be construed as requiring the disclosure of Jencks Act Material prior to the time that its disclosure is required by law. The government counsel shall not be required to automatically disclose the names of government witnesses.

2. DISCLOSURE DECLINED: If, in the judgment of government counsel, it would be detrimental to the interest of justice to make any of those disclosures which have been set forth in paragraph 1, such disclosure may be declined; provided however, that the declination be made or confirmed in writing, If any defendant, who seeks to challenge the declination, shall move for relief forthwith.

3. CONTINUING DUTY: The duty of disclosure and discovery, which is described in this order, is continuing.

4. DISCOVERY BY THE GOVERNMENT: This order is not designed to preclude discovery by the government under Rule 16(c) of the Federal Rules of Criminal Procedure.

5. EXHIBITS:

(a) Pre-Marking and Listing of Exhibits: Each party, who intends to offer exhibits, shall mark the exhibits prior to commencement of trial. Marking labels may be obtained from the court reporter in advance of trial. Each party shall thereafter prepare a typed list of the proposed exhibits for submission to the court three (3) days prior to the commencement of trial. Exhibits should be designated by number or letters on a logical basis. The listing should reflect the proposed exhibits number or letter and description of the exhibit, The proposed exhibits, if in the possession or control of the parties, must be examined by the opposite party at a reasonable time in advance of trial

(b) Foundation for Exhibits: When defense counsel at the conference set forth in paragraph 1 has inspected an exhibit which the government intends to introduce in evidence, the foundation for its receipt into evidence will be deemed admitted unless defense counsel files a notice with the court (to wit, not less than three (3) days prior to trial that the foundation for admission into evidence of the exhibits will be contested).

(c) Objections to Exhibits: This order shall not affect the right of a defendant to object to the introduction of an exhibit other than on the basis of foundation.

6. CHAIN OF CUSTODY: When defense counsel at the conference has inspected a proposed government exhibit and/or reviewed government documents or records, the chain of custody will be deemed to be uncontested unless the defendant files a notice with the court (to wit, that the chain of custody of the exhibits will be contested) not less than five (5) days prior to trial.

7. SCIENTIFIC ANALYSIS: When a defendant has been made aware of the existence of the scientific analysis of an exhibit, the results therefrom, which analysis has been determined by an expert in the field of science involved, the results of the scientific analysis of the exhibit and the opinion of the scientist will be admitted into evidence unless the defendant files a notice with the court (to wit, not less

than seven (7) days prior to trial that the scientific analysis of the exhibit will be contested).

8. JURY INSTRUCTIONS: The parties shall submit requested jury instructions in duplicate at the beginning of trial.

9. MOTION CUT-OFF DATE: All pretrial motions shall be filed within twenty (20) days from date of arraignment of the defendant(s).

S/Bernard A. Friedman

BERNARD A. FRIEDMAN

DATED: May 1, 2017

UNITED STATES DISTRICT JUDGE